

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

CMAX NDSE LLC,

Plaintiff,

v.

**SYSTEMAX COMPUTERS, INC.,
TIGERDIRECT, INC., and SYX
DISTRIBUTION, INC.,**

Defendants.

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Civil Action No. 1:12-cv-00234-SS

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff CMAX NDSE, LLC (“Plaintiff”) and defendants Systemax Computers, Inc., TigerDirect Inc., and SYX Distribution, Inc. (collectively, “Defendants”), pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate and agree that they have come to a complete settlement of all claims and therefore stipulate to the dismissal of the above captioned matter with prejudice, including all claims and counterclaims, which were brought or could have been brought in this action, with each party to bear its own attorneys’ fees and costs.

Date: December 3, 2013

Respectfully submitted,

/s/ Clint A. Corrie

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** Admitted pro hac vice*

**ATTORNEYS FOR DEFENDANTS
SYSTEMAX INC. d/b/a SYSTEMAX
COMPUTERS, INC., TIGERDIRECT
INC., AND SYX DISTRIBUTION, INC.**

-and-

Date: December 3, 2013

/s/ Eric Cassidy

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**ATTORNEYS FOR PLAINTIFF
CMAX NDSE LLC**

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 3, 2013, in accordance with Rule 11 of the Federal Rules of Civil Procedure, I served this Notice on the counsel of record set forth below in the manner specified.

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